



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Kent I. Smedley

Application No.: 10/661,087

Filed: September 12, 2003

For: **METHODS AND DEVICES FOR
CONTROLLING FLOW AND PARTICLE
FLUIDIZATION IN A FUEL CELL**

Art Unit: 1745

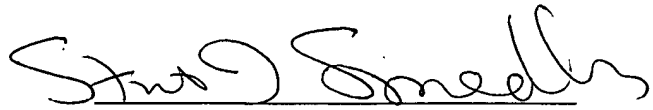
Examiner: Jonathan Crepeau

**DECLARATION OF STUART I. SMEDLEY
UNDER 37 C.F.R. § 1.132**

1. My name is Stuart I. Smedley. I am over 18 years of age and otherwise competent to make this declaration. All facts stated herein are based on my personal knowledge.
2. I am the first-named inventor of U.S. Patent 6,764,588.
3. I am a named inventor of U.S. Patent Application Publication No. 2002/0045075.
4. I am a named inventor of U.S. Patent Application Serial No. 10/661,087 captioned above.
5. I affirm that the fluidization apparatus disclosed but not claimed in U.S. Patent 6,764,588 was in fact invented jointly by myself and Kent I. Smedley. That apparatus is shown in U.S. Patent 6,764,588 in Figures 5, 6A & 6B.
6. I affirm that the fuel cell system disclosed but not claimed U.S. Patent Application Publication No. 2002/0045075 was in fact invented by myself, Stuart I. Smedley. That system is shown in Figure 1 of U.S. Patent Application Publication No. 2002/0045075.

7. I affirm that Claims 1-10 and 34-52, as amended in November 2006, of U.S. Patent Application Serial No. 10/661,087 recite a fuel cell system invented jointly by myself and Kent I. Smedley.

Executed this 24 day of November 2006.

A handwritten signature in cursive script, appearing to read "Stuart I. Smedley", written over a horizontal line.

Stuart I. Smedley